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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/611,165	07/06/2000	John C. Calhoun JR.	5044:84	5604

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EXAMINER

FRENEL, VANEL

ART UNIT	PAPER NUMBER
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3626

DATE MAILED: 12/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/611,165

Applicant(s)

CALHOUN ET AL.

Examiner

Vanel Frenel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Notice to Applicant

1. This communication is in response to the application filed 06 July 2000.

Claims 1-12 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rieker et al (5,832,447) and Warady et al (6,067,522).

(A) As per claim 1, Rieker discloses a database for use in a web-based managed care transaction system (Col.5, lines 25-67 to Col.6, line 12), comprising:

a memory (Col.7, lines 59-67 to Col.8, line 24); and
a set of data tables organized into a logical entity in the memory and including for each member (Col.8, lines 25-49):

a master account table (Col.7, lines 24-47, The Examiner interprets capture process to be a form of master account table). Rieker does not explicitly disclose a member table; and

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a set of one or more member history tables associated with the member table, each member history table associated with a given employer plan.

However, these features are known in the art, as evidenced by Warady. In particular, Warady suggests a member table which the Examiner interprets to be an employee status table (See Col.5, lines 6-13); and

a set of one or more member history tables associated with the member table, each member history table associated with a given employer plan (See Warady Col.5, lines 6-54).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the feature of Warady within the system of Rieker with the motivation of providing one health and welfare benefit plan provider as a result of the enrollment of the at least one person in the at least one health and welfare benefit plan in accordance with the data entered into the one of the single computerized database management (See Warady Col.3, lines 6-25).

(B) As per claim 2, Warady discloses the database wherein the set of data tables includes an employer table having associate therewith a set of one or more employer plan tables (Col.5, lines 1-54).

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The motivation for combining the respective teachings of Rieker and Warady are as discussed above in the rejection of claim 1, and incorporated herein.

(C) As per claim 3, Warady discloses the database wherein a given employer plan table identifies a given employer plan (Col.5, lines 1-54).

The motivation for combining the respective teachings of Rieker and Warady are as discussed above in the rejection of claim 1, and incorporated herein.

(D) As per claim 4, Rieker discloses the database further including a managed care organization (MCO) table having associated therewith a set of one or more MCO product plan tables (Col.1, lines 15-67).

The motivation for combining the respective teachings of Rieker and Warady are as discussed above in the rejection of claim 1, and incorporated herein.

(E) As per claim 5, Warady discloses the database wherein a given MCO product plan table has associated therewith the set of one or more employer plan tables (Col.5, lines 1-54).

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The motivation for combining the respective teachings of Rieker and Warady are as discussed above in the rejection of claim 1, and incorporated herein.

(F) As per claim 6, Warady discloses the database wherein a given member history table has associated therewith a set of one or more coordinated benefits tables (Col.5, lines 1-54).

The motivation for combining the respective teachings of Rieker and Warady are as discussed above in the rejection of claim 1, and incorporated herein.

(G) As per claim 7, Warady discloses the database wherein a given member history table has associated therewith a set of one or **more assigned primary** care physician (PCP) tables (Col.5, lines 1-54).

The motivation for combining the respective teachings of Rieker and Warady are as discussed above in the rejection of claim 1, and incorporated herein.

(H) As per claim 8, Warady discloses the database wherein an assigned PCP table has associated therewith a provider affiliation table (Col.5, lines 1-54).

The motivation for combining the respective teachings of Rieker and Warady are as discussed above in the rejection of claim 1, and incorporated herein.

(I) As per claim 9, Warady discloses the database wherein the set of data tables further includes a provider information table (Col.5, lines 1-54).

The motivation for combining the respective teachings of Rieker and Warady are as discussed above in the rejection of claim 1, and incorporated herein.

(J) As per claim 10, Warady discloses the database wherein the provider information table includes a set of one or more provider affiliation tables, a set of one or more hospital affiliation tables, and a set of one or more provider staff tables (Col.5, lines 1-54).

The motivation for combining the respective teachings of Rieker and Warady are as discussed above in the rejection of claim 1, and incorporated herein.

(K) As per claim 11, warady discloses the database wherein the set of data tables includes a staging area table that includes data which tracks the member through various transaction events (Col.5, lines 42-67 to Col.6, line 11).

The motivation for combining the respective teachings of Rieker and Warady are as discussed above in the rejection of claim 1, and incorporated herein.

4. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rieker et al (5,832,447), Warady et al (6,067,522) and Bessette (6,263,330)

(L) As per claim 12, Rieker discloses a database for storing a set of data tables organized into a logical entity and including for each member (See Rieker Col.8, lines 25-49):

a master account table (See Rieker Col.7, lines 24-47, The Examiner interprets capture process to be a form of master account table); a member table which the Examiner interprets to be an employee status table (See Warady Col.5, lines 6-13); and a set of one or more member history tables associated with the member table, each member history table associated with a given employer plan (See Warady Col.5, lines 6-54). The collective teachings of Rieker and Warady do not explicitly disclose a web-based managed care transaction system accessible over a computer network using a client browser, comprising a transaction server.

However, these features are known in the art, as evidenced by Bessette. In particular, Bessette suggests a web-based managed care transaction system accessible over a computer network using a client browser, comprising a transaction server (See Bessette Col.14, lines 38-67 to Col.15, line 67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Bessette within the collective teachings of Rieker and Warady

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with the motivation of providing a network system for distributed storage of records, said network system including: a server managing a database, said database containing a plurality of records of respective individuals (See Besette Col.5, lines 29-32).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not applied art teaches system for web-based payroll and benefits administration (6,401,079), distributed access management of information resources (6,182,142) and system and method for improving efficiency of health care (US 2002/0077849).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanel Frenel whose telephone number is 703-305-4952. The examiner can normally be reached on 6:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

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V.F

V.F

November 26, 2002


DINH X. NGUYEN
PRIMARY EXAMINER